

HB0091S01 compared with HB0091

{Omitted text} shows text that was in HB0091 but was omitted in HB0091S01

inserted text shows text that was not in HB0091 but was inserted into HB0091S01

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Technical College Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christine F. Watkins

LONG TITLE

General Description:

This bill amends provisions relating to capital development projects for technical colleges.

Highlighted Provisions:

This bill:

- amends provisions relating to construction plan approval {~~and presentation of the recommendations of the Utah Board of Higher Education~~} for technical colleges.

Money Appropriated in this Bill:

None

None

AMENDS:

53B-2a-112, as last amended by Laws of Utah 2023, Chapter 254, as last amended by Laws of Utah 2023, Chapter 254

~~{53B-7-101, as last amended by Laws of Utah 2024, Chapter 527, as last amended by Laws of Utah 2024, Chapter 527}~~

Be it enacted by the Legislature of the state of Utah:

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18 Section 1. Section **53B-2a-112** is amended to read:

19 **53B-2a-112. Technical colleges -- Relationships with other public and higher education**
20 **institutions -- Agreements -- Priorities -- New capital facilities.**

23 (1) As used in this section, "higher education institution" means:

24 (a) Utah State University for:

25 (i) Bridgerland Technical College;

26 (ii) Tooele Technical College; and

27 (iii) Uintah Basin Technical College;

28 (b) Weber State University for:

29 (i) Ogden-Weber Technical College; and

30 (ii) Davis Technical College;

31 (c) Utah Valley University for Mountainland Technical College;

32 (d) Southern Utah University for Southwest Technical College; and

33 (e) Utah Tech University for Dixie Technical College.

34 (2) A technical college may enter into agreements:

35 (a) with other higher education institutions to cultivate cooperative relationships; or

36 (b) with other public and higher education institutions to enhance career and technical education within
the technical college's region.

38 (3) Before a technical college develops new instructional facilities, the technical college shall give
priority to:

40 (a) maintaining the technical college's existing instructional facilities for both secondary and adult
students;

42 (b) coordinating with the president of the technical college's degree-granting partner and entering into
any necessary agreements to provide career and technical education to secondary and adult students
that:

45 (i) maintain and support existing higher education career and technical education programs; and

47 (ii) maximize the use of existing higher education facilities; and

48 (c) developing cooperative agreements with school districts, charter schools, other higher education
institutions, businesses, industries, and community and private agencies to maximize the availability
of career and technical education instructional facilities for both secondary and adult students.

52 (4)

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- . (a) Before submitting a funding request pertaining to new capital facilities and land purchases to the board, a technical college shall:
- 54 (i) ensure that all available instructional facilities are maximized in accordance with Subsections (3) (a) through (c); and
- 56 (ii) coordinate the request with the president of the technical college's degree-granting partner, if applicable.
- 58 (b) The Division of Facilities Construction and Management shall make a finding that the requirements of this section are met before the Division of Facilities Construction and Management may consider a funding request from the board pertaining to new capital facilities and land purchases for a technical college.
- 62 (c) A technical college may not construct, approve the construction of, [~~plan for the design or construction of,~~] or consent to the construction of a career and technical education facility without approval of the Legislature.
- 65 (5) Before acquiring new fiscal and administrative support structures, a technical college shall:
- 67 (a) review the use of existing public or higher education administrative and accounting systems, financial record systems, and student and financial aid systems for the delivery of education in the region;
- 70 (b) determine the feasibility of using existing systems; and
- 71 (c) with the approval of the technical college board of trustees and the board, use the existing systems.
- 73 ~~{Section 2. Section 53B-7-101 is amended to read: }~~
- 74 **53B-7-101. Combined requests for appropriations -- Board review of operating budgets -- Submission of budgets -- Recommendations -- Hearing request -- Appropriation formulas -- Allocations -- Dedicated credits -- Financial affairs.**
- 77 (1) As used in this section:
- 78 (a) "Higher education institution" or "institution" means an institution of higher education listed in Section 53B-1-102.
- 80 (b) "Research university" means the University of Utah or Utah State University.
- 81 (2)
- . (a) Subject to Subsection (3), the board shall recommend a combined appropriation for the operating budgets of higher education institutions for inclusion in a state appropriations act.
- 84 (b) The board's combined budget recommendation shall include:

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- 85 (i) employee compensation;
- 86 (ii) mandatory costs, including building operations and maintenance, fuel, and power;
- 87 (iii) performance funding described in Part 7, Performance Funding;
- 88 (iv) statewide and institutional priorities, including scholarships, financial aid, and technology
infrastructure; and
- 90 (v) enrollment growth.
- 91 (c)
- . (i) The board's recommendations shall be available for presentation to the governor and to the
Legislature at least 30 days before the convening of the Legislature, and shall include schedules
showing all funding distribution models and the recommended amounts for each institution,
including separately funded programs or divisions.
- 96 (ii) A funding distribution model utilized for a technical college shall include equivalent funding
value for secondary and adult students and reflect the full responsibility of the technical college's
statutorily-required services.
- 99 (d) The recommended appropriations shall be determined by the board only after the board has
reviewed the proposed institutional operating budgets, and has consulted with the various
institutions and board staff in order to make appropriate adjustments.
- 102 (3) In the combined request for appropriation, the board shall differentiate between appropriations
requested for academic education and appropriations requested for technical education.
- 105 (4)
- . (a) Institutional operating budgets shall be submitted to the board at least 90 days before the convening
of the Legislature in accordance with procedures established by the board.
- 108 (b) Except as provided in Sections 53B-2a-117 and 53B-22-204, funding requests pertaining to capital
facilities and land purchases shall be submitted in accordance with procedures prescribed by the
Division of Facilities Construction and Management.
- 112 (5)
- . (a) The budget recommendations of the board shall be accompanied by full explanations and supporting
data.
- 114 (b) The appropriations recommended by the board shall be made with the dual objective of:
- 116 (i) justifying for higher education institutions appropriations consistent with their needs, and consistent
with the financial ability of the state; and

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- 118 (ii) determining an equitable distribution of funds among the respective institutions in accordance with
the aims and objectives of the statewide master plan for higher education.
- 121 (6)
- . (a) The board shall request a hearing with the governor on the recommended appropriations.
- 123 (b) After the governor delivers his budget message to the Legislature, the board shall request hearings
on the recommended appropriations with the Higher Education Appropriations Subcommittee.
- 126 (c) If either the total amount of the state appropriations or its allocation among the institutions as
proposed by the Legislature or the Higher Education Appropriations Subcommittee is substantially
different from the recommendations of the board, the board may request further hearings with the
Legislature or the Higher Education Appropriations Subcommittee to reconsider both the total
amount and the allocation.
- 131 (7) The board may devise, establish, periodically review, and revise formulas for the board's use and
for the use of the governor and the Higher Education Appropriations Subcommittee in making
appropriation recommendations.
- 134 (8)
- . (a) The board shall recommend to each session of the Legislature the minimum tuitions, resident
and nonresident, for each institution which it considers necessary to implement the budget
recommendations.
- 137 (b) Subject to Subsection (13), the board may fix the tuition, fees, and charges for each institution at
levels the board finds necessary to meet budget requirements.
- 139 (9) Money allocated to each institution by legislative appropriation may be budgeted in accordance
with institutional work programs approved by the board, provided that the expenditures funded by
appropriations for each institution are kept within the appropriations for the applicable period.
- 143 (10) The dedicated credits, including revenues derived from tuitions, fees, federal grants, and proceeds
from sales received by the institutions are appropriated to the respective institutions to be used in
accordance with institutional work programs.
- 146 (11) An institution may do the institution's own purchasing, issue the institution's own payrolls, and
handle the institution's own financial affairs under the general supervision of the board.
- 149 (12) If the Legislature appropriates money in accordance with this section, the money shall be
distributed to the board and higher education institutions to fund the items described in Subsection
(2)(b).

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- 152 (13) The board shall create policies requiring an institution of higher education to waive transcript fees
for a student who is under the age of 26 and:
- 154 (a) is homeless, as defined in Section 26B-3-207;
- 155 (b) is a person who is homeless, as defined in Section 35A-5-302;
- 156 (c) is an individual whose primary nighttime residence is a location that is not designed for or ordinarily
used as a sleeping accommodation for an individual;
- 158 (d) is a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a;
- 159 (e) is in the custody of the Division of Child and Family Services; or
- 160 (f) was in the custody of the Division of Child and Family Services but is no longer in the custody of
the Division of Child and Family Services due to the individual's age.

71 Section 1. **Effective date.**

This bill takes effect on May 7, 2025.

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